UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/1008*
24 September 1998

ORIGINAL: ENGLISH

Fifty-second session
Agenda item 45

THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

Letter dated 7 August 1998 from the Secretary-General addressed to the President of the General Assembly

I last reported to the General Assembly on 15 December 1997 on the progress achieved in the implementation of the peace accords in El Salvador until that date (A/52/731). In accordance with Assembly decision 52/436 of 18 December 1997 I now wish to bring the General Assembly up to date on developments.

Considering the aspects of the peace accords that remained pending and the possibility of modest progress in those areas in which the unit in El Salvador had been concentrating its efforts since June 1997, I proposed in my last report to maintain a reduced presence in El Salvador, at the level of one international and one local staff member, for a further six months, i.e. to 30 June 1998. The unit, under the administrative umbrella of the United Nations Development Programme (UNDP) and performing its functions under UNDP's coordination, was funded from existing resources in the Trust Fund for the Mission of the United Nations in El Salvador. The General Assembly, by its above-mentioned decision (52/436), welcomed this proposal. I also indicated that the verification and good offices functions of the Organization would continue to be carried out from Headquarters.

While the verification and good offices functions of the Organization have thus been carried out from Headquarters during this reporting period, the unit has made every effort to assist the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) with the implementation of the outstanding elements of the peace accords in the socio-economic area. Those

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* Reissued for technical reasons.

aspects of the accords which remained outstanding, in particular the land transfer programme (PTT), the programme to transfer rural human settlements to their current occupants, the Fund for the Protection of the Wounded and War-Disabled, and the transfer of lands in excess of the constitutional limits of 245 hectares, did not attain the advances that had been envisaged for this period. Moreover, the difficulties that had already been experienced in terms of the required cooperation from relevant agencies, as reported in my letter of 15 December 1997 (A/52/731), have continued to affect adversely the expeditious implementation of the accords.

I note, nonetheless, that some advances have been made. The land transfer programme, in particular, reflects a significant advance and can be considered close to completion owing to the active role played by the implementing agency, the Land Bank. Land has been legally transferred to almost 35,500 beneficiaries, although there remain a small number of unresolved cases where resettlement will be necessary and where remaining properties must be entered into the Land Registry. It is important that, despite the near completion of the programme, the institutions responsible for this process maintain a high level of commitment to see it through to its termination.

Of greater concern is the rural settlements programme, in which advances have been made only in negotiations for land purchase for those properties where beneficiaries settled on land owned by others. There has been practically no progress with regard to the other elements of the programme, largely owing to obstacles in the deed registration process by the Land Registry and prolonged delays in the payment to property owners.

The United Nations has complied with its commitment to investigate the 40 remaining properties allegedly in excess of the constitutional limit of 245 hectares. However, the continuing reluctance of the Salvadoran Institute for Agrarian Transformation (ISTA) to accept and to act on the recommendations of the previous report by the United Nations on this matter has created the impression of a lack of progress and, unavoidably, an absence of political will.

The situation previously outlined in my report of 1 July 1997 (A/51/917) concerning the obstacles faced by relatives of deceased combatants who did not appear in the original 1993 census remains unchanged. Unfortunately, since no legislative changes were introduced into Legislative Decree 1040, the benefits of the Fund for the Protection of the Wounded and War-Disabled have not been extended to the entirety of potential beneficiaries.

While further assistance would be required to complete the implementation of the peace accords signed at Chapultepec Castle in Mexico City on 16 January 1992 (A/46/864-S/23501, annex), I have advised the Government and FMLN that I propose to entrust UNDP with the necessary follow-up to these matters, in consultation with the donor Governments. The good offices functions of the Organization will, as before, continue to be carried out by the United Nations Secretariat in coordination with UNDP. Thanks to the balance of voluntary contributions made so generously by some donors, it is hoped that some of the costs of these activities would be covered by existing resources from the Trust Fund for the Mission of the United Nations in El Salvador. In compliance with the mandate given by the General Assembly in December 1997, I am therefore

informing you of the closure of the unit in El Salvador, despite the fact that some aspects of the peace accords remain pending.

I should be grateful if you would bring the contents of the present letter to the attention of the members of the General Assembly.

(Signed) Kofi A. ANNAN